

## Calendar No. 40

107TH CONGRESS  
1ST SESSION**H. R. 802**

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IN THE SENATE OF THE UNITED STATES

MARCH 22, 2001

Received; read twice and referred to the Committee on the Judiciary

MAY 10, 2001

Reported by Mr. HATCH, without amendment

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**AN ACT**

To authorize the Public Safety Officer Medal of Valor, and  
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Public Safety Officer  
5 Medal of Valor Act of 2001”.

6 **SEC. 2. AUTHORIZATION OF MEDAL.**

7 After September 1, 2001, the President may award,  
8 and present in the name of Congress, a Medal of Valor  
9 of appropriate design, with ribbons and appurtenances, to  
10 a public safety officer who is cited by the Attorney Gen-

1 eral, upon the recommendation of the Medal of Valor Re-  
2 view Board, for extraordinary valor above and beyond the  
3 call of duty. The Public Safety Medal of Valor shall be  
4 the highest national award for valor by a public safety offi-  
5 cer.

6 **SEC. 3. MEDAL OF VALOR BOARD.**

7 (a) ESTABLISHMENT OF BOARD.—There is estab-  
8 lished a Medal of Valor Review Board (hereinafter in this  
9 Act referred to as the “Board”), which shall be composed  
10 of 11 members appointed in accordance with subsection  
11 (b) and shall conduct its business in accordance with this  
12 Act.

13 (b) MEMBERSHIP.—

14 (1) MEMBERS.—The members of the Board  
15 shall be individuals with knowledge or expertise,  
16 whether by experience or training, in the field of  
17 public safety, of which—

18 (A) two shall be appointed by the majority  
19 leader of the Senate;

20 (B) two shall be appointed by the minority  
21 leader of the Senate;

22 (C) two shall be appointed by the Speaker  
23 of the House of Representatives;

24 (D) two shall be appointed by the minority  
25 leader of the House of Representatives; and

1           (E) three shall be appointed by the Presi-  
2           dent, including one with experience in fire-  
3           fighting, one with experience in law enforce-  
4           ment, and one with experience in emergency  
5           services.

6           (2) TERM.—The term of a Board member shall  
7           be 4 years.

8           (3) VACANCIES.—Any vacancy in the member-  
9           ship of the Board shall not affect the powers of the  
10          Board and shall be filled in the same manner as the  
11          original appointment.

12          (4) OPERATION OF THE BOARD.—

13           (A) CHAIRMAN.—The Chairman of the  
14           Board shall be elected by the members of the  
15           Board from among the members of the Board.

16           (B) MEETINGS.—The Board shall conduct  
17           its first meeting not later than 90 days after  
18           the appointment of the last member appointed  
19           of the initial group of members appointed to the  
20           Board. Thereafter, the Board shall meet at the  
21           call of the Chairman of the Board. The Board  
22           shall meet not less often than twice each year.

23           (C) VOTING AND RULES.—A majority of  
24           the members shall constitute a quorum to con-  
25           duct business, but the Board may establish a

1            lesser quorum for conducting hearings sched-  
2            uled by the Board. The Board may establish by  
3            majority vote any other rules for the conduct of  
4            the Board's business, if such rules are not in-  
5            consistent with this Act or other applicable law.

6            (c) DUTIES.—The Board shall select candidates as  
7 recipients of the Medal of Valor from among those applica-  
8 tions received by the National Medal of Valor Office. Not  
9 more often than once each year, the Board shall present  
10 to the Attorney General the name or names of those it  
11 recommends as Medal of Valor recipients. In a given year,  
12 the Board shall not be required to select any recipients  
13 but may not select more than 5 recipients. The Attorney  
14 General may in extraordinary cases increase the number  
15 of recipients in a given year. The Board shall set an an-  
16 nual timetable for fulfilling its duties under this Act.

17            (d) HEARINGS.—

18            (1) IN GENERAL.—The Board may hold such  
19 hearings, sit and act at such times and places, ad-  
20 minister such oaths, take such testimony, and re-  
21 ceive such evidence as the Board considers advisable  
22 to carry out its duties.

23            (2) WITNESS EXPENSES.—Witnesses requested  
24 to appear before the Board may be paid the same  
25 fees as are paid to witnesses under section 1821 of

1 title 28, United States Code. The per diem and mile-  
2 age allowances for witnesses shall be paid from  
3 funds appropriated to the Board.

4 (e) INFORMATION FROM FEDERAL AGENCIES.—The  
5 Board may secure directly from any Federal department  
6 or agency such information as the Board considers nec-  
7 essary to carry out its duties. Upon the request of the  
8 Board, the head of such department or agency may fur-  
9 nish such information to the Board.

10 (f) INFORMATION TO BE KEPT CONFIDENTIAL.—  
11 The Board shall not disclose any information which may  
12 compromise an ongoing law enforcement investigation or  
13 is otherwise required by law to be kept confidential.

14 **SEC. 4. BOARD PERSONNEL MATTERS.**

15 (a) COMPENSATION OF MEMBERS.—(1) Except as  
16 provided in paragraph (2), each member of the Board  
17 shall be compensated at a rate equal to the daily equiva-  
18 lent of the annual rate of basic pay prescribed for level  
19 IV of the Executive Schedule under section 5315 of title  
20 5, United States Code, for each day (including travel time)  
21 during which such member is engaged in the performance  
22 of the duties of the Board.

23 (2) All members of the Board who serve as officers  
24 or employees of the United States, a State, or a local gov-

1 ernment, shall serve without compensation in addition to  
2 that received for those services.

3 (b) TRAVEL EXPENSES.—The members of the Board  
4 shall be allowed travel expenses, including per diem in lieu  
5 of subsistence, at rates authorized for employees of agen-  
6 cies under subchapter I of chapter 57 of title 5, United  
7 States Code, while away from their homes or regular  
8 places of business in the performance of service for the  
9 Board.

10 **SEC. 5. DEFINITIONS.**

11 In this Act:

12 (1) PUBLIC SAFETY OFFICER.—The term “pub-  
13 lic safety officer” means a person serving a public  
14 agency, with or without compensation, as a fire-  
15 fighter, law enforcement officer, or emergency serv-  
16 ices officer, as determined by the Attorney General.  
17 For the purposes of this paragraph, the term “law  
18 enforcement officer” includes a person who is a cor-  
19 rections or court officer or a civil defense officer.

20 (2) STATE.—The term “State” means each of  
21 the several States of the United States, the District  
22 of Columbia, the Commonwealth of Puerto Rico, the  
23 Virgin Islands, Guam, American Samoa, and the  
24 Commonwealth of the Northern Mariana Islands.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2       There are authorized to be appropriated to the Attor-  
3 ney General such sums as may be necessary to carry out  
4 this Act.

5 **SEC. 7. NATIONAL MEDAL OF VALOR OFFICE.**

6       There is established within the Department of Justice  
7 a National Medal of Valor Office. The Office shall provide  
8 staff support to the Board to establish criteria and proce-  
9 dures for the submission of recommendations of nominees  
10 for the Medal of Valor and for the final design of the  
11 Medal of Valor.

12 **SEC. 8. CONFORMING REPEAL.**

13       Section 15 of the Federal Fire Prevention and Con-  
14 trol Act of 1974 (15 U.S.C. 2214) is amended—

15               (1) by striking subsection (a) and inserting the  
16 following new subsection (a):

17       “(a) ESTABLISHMENT.—There is hereby established  
18 an honorary award for the recognition of outstanding and  
19 distinguished service by public safety officers to be known  
20 as the Director’s Award For Distinguished Public Safety  
21 Service (‘Director’s Award’).”;

22               (2) in subsection (b)—

23                       (A) by striking paragraph (1); and

24                       (B) by striking “(2)”;

1           (3) by striking subsections (c) and (d) and re-  
2           designating subsections (e), (f), and (g) as sub-  
3           sections (c), (d), and (e), respectively; and

4           (4) in subsection (c), as so redesignated—

5                     (A) by striking paragraph (1); and

6                     (B) by striking “(2)”.

7   **SEC. 9. CONSULTATION REQUIREMENT.**

8           The Board shall consult with the Institute of Her-  
9           aldry within the Department of Defense regarding the de-  
10          sign and artistry of the Medal of Valor. The Board may  
11          also consider suggestions received by the Department of  
12          Justice regarding the design of the medal, including those  
13          made by persons not employed by the Department.

          Passed the House of Representatives March 22,  
2001.

Attest:

JEFF TRANDAHL,

*Clerk.*



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